



FACILITY COMPLIANCE INSPECTION REPORT

Division of Waste Management Solid Waste Section

UNIT TYPE:											
Lined MSWLF	<input type="checkbox"/>	LCID	<input checked="" type="checkbox"/>	YW	<input type="checkbox"/>	Transfer	<input type="checkbox"/>	Compost	<input type="checkbox"/>	SLAS	COUNTY: Durham PERMIT NO.: 32-F FILE TYPE: COMPLIANCE
Closed MSWLF	<input type="checkbox"/>	HHW	<input type="checkbox"/>	White goods	<input type="checkbox"/>	Incin	<input type="checkbox"/>	T&P	<input type="checkbox"/>	FIRM	
CDLF	<input type="checkbox"/>	Tire T&P / Collection	<input type="checkbox"/>	Tire Monofill	<input type="checkbox"/>	Industrial Landfill	<input type="checkbox"/>	DEMO	<input type="checkbox"/>	SDTF	

Date of Site Inspection: August 18, 2011 **Date of Last Inspection:** October 26, 2010

FACILITY NAME AND ADDRESS:

Fogleman & Fogleman Soils, Inc. LCID Landfill
 4005 Intermere Road
 Durham, NC 27704

GPS COORDINATES: N: 36.05537 E: 78.81115

FACILITY CONTACT NAME AND PHONE NUMBER:

Jay Fogleman, Manager
 w. 919-682-0068
 c. 919-795-4386
 f. 919-682-0662
lfogle@frontier.com

FACILITY CONTACT ADDRESS:

Jay Fogleman, Manager
 Fogleman & Fogleman Soils, Inc. LCID Landfill
 4005 Intermere Road
 Durham, NC 27704

PARTICIPANTS

John Patrone, NCDENR – Solid Waste Section (SWS)
 James Fogleman, President
 Linda Fogleman, Secretary/Treasurer
 Jay Fogleman, Manager

STATUS OF PERMIT:

Permit To Operate (PTO) issued December 19, 2006
 PTO expiration date December 19, 2011

PURPOSE OF SITE VISIT:

Comprehensive Audit

STATUS OF PAST NOTED VIOLATIONS:

None

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OBSERVED VIOLATIONS

None

The item(s) listed above were observed by Section staff and require action on behalf of the facility in order to come into or maintain compliance with the Statutes, Rules, and/or other regulatory requirements applicable to this facility. Be advised that pursuant to N.C.G.S. 130A-22, an administrative penalty of up to \$15,000 per day may be assessed for each violation of the Solid Waste Laws, Regulations, Conditions of a Permit, or Order under Article 9 of Chapter 130A of the N.C. General Statutes. Further, the facility and/or all responsible parties may be subject to enforcement actions including penalties, injunction from operation of a solid waste management facility or a solid waste collection service and any such further relief as may be necessary to achieve compliance with the North Carolina Solid Waste Management Act and Rules.

ADDITONAL COMMENTS

On August 18, 2011, John Patrone met with James Fogleman, Linda Fogleman, and Jay Fogleman to conduct a comprehensive audit of the Fogleman & Fogleman Soils, Inc. LCID Landfill on Intermere Road in Durham, Durham County.

1. The facility is a land clearing and inert debris (LCID) landfill located on ~ 36 acre site, of which ~ 1/3 has been used.
2. The facility is permitted to receive land clearing waste, yard trash, untreated and unpainted wood, inert debris, and (used) asphalt.
3. In addition to the permit, the facility must conform to the operational requirements of the North Carolina Solid Waste Management Rules, 15A North Carolina Administrative Code (NCAC) 13B .0566 (copy provided to Linda Fogleman) and the facility operational plan.
4. The facility receives ~ 45 to 50 trucks a day.
5. The facility maintains records of the amount of LCID material received. Daily records were verified for January through August 17, 2011. The facility multiplies the number and type of vehicles received (pickup truck, dump truck: dual, tri, or quad axel, etc.) for a given time period by an estimated capacity (yd³) for each vehicle type.
6. The facility annual report is dated July 22, 2011. Material received July 1, 2010 through June 30, 2011 is 3,334 tons/week.
7. Waste inspection records are maintained and were verified.
8. Permanent disposal unit boundary markers must be installed and maintained.
9. Jay Fogleman stated that LCID material is covered with 1 foot of soil once a month, and often more frequently.
10. The LCID landfill is constructed in tiered sections. Material is built-up and spread-out over each successive tier as the landfill extends vertically.
11. The facility has available soil stockpiled on site for cover material and/or fire control.
12. The landfill cap, where soil has been applied, contains vegetative material.
13. Ensure that the section of side slope on the north-east side of the landfill is repaired.
14. Ensure that land clearing debris (LCD) that rolled down the rear of the north-east side slope is removed or covered with soil.
15. Ensure that woody vegetation is routinely removed from the landfill cap.
16. The facility has a NCDENR-Division of Water Quality (DWQ) National Pollutant Discharge Elimination System - General Permit (No. NCG020000) and a NCDENR – Division of Land Resources (DLR) mining activity/borrow pit permit (No. 32-09).
17. The facility stockpiles concrete to be crushed. Much of the concrete on site has been covered with soil to crush at a later date.
18. The facility provides segregated loads of LCD to the general public for firewood. Jay Fogleman was asked to ensure that the firewood storage area is not located adjacent to the working face and that the LCD designated for firewood is routinely removed from the site.
19. The facility has an all-weather access road.
20. The facility is secured by a locked gate.

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- 21. The facility has proper signage.
- 22. The permit expiration date is December 19, 2011.
- 23. Permit renewal application shall be submitted to the SWS by September 19, 2011.

Please contact me if you have any questions or concerns regarding this inspection report.



Phone: 336-771-5095 Fax: 336-771-4631

John Patrone
Environmental Senior Specialist
Regional Representative

Sent on: <u>August 24, 2011</u>		Email	X	Hand delivery		US Mail		Certified No. <u> </u>
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Copies: Dennis Shackelford, Eastern District Supervisor
Shawn McKee, Compliance Officer
Pat Backus, Environmental Engineer

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Digital photographs taken August 18, 2011
by John Patrone, DWM-SWS

Stockpiled concrete, west of LCID fill area



Left side of working face



Right side of working face



Rear of working face

